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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

EPIC GAMES, INC.,

*Plaintiff, Counter-defendant,*

v.

APPLE INC.,

*Defendant, Counterclaimant.*

Case No. 4:20-cv-05640-YGR-TSH

**[PROPOSED] ORDER DENYING EPIC  
GAMES, INC.'S ADMINISTRATIVE  
MOTION TO FILE UNDER SEAL THE  
JOINT DISCOVERY LETTER BRIEF  
REGARDING EPIC'S OUTSTANDING  
DOCUMENT REQUESTS AND  
SUPPORTING EXHIBITS**

Judge: Hon. Magistrate Thomas S. Hixson

1           This matter comes before the Court on Epic Games, Inc.’s (“Epic”) Administrative  
2 Motion to File Under Seal the Joint Discovery Letter Brief Regarding Epic’s Outstanding  
3 Document Requests (the “Joint Discovery Letter Brief”) and Supporting Exhibits 1 to 12 and A to  
4 F because certain materials used or discussed therein contain information designated by Defendant  
5 Apple Inc. as “CONFIDENTIAL” or “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES  
6 ONLY” under the protective orders in the above-captioned action. (*Epic Games, Inc. v. Apple*  
7 *Inc.*, No. 20-cv-05640-YGR-TSH, ECF No. 274.)

8           Upon consideration of the administrative motion to seal, the papers submitted in  
9 support and in response thereto, the motion is DENIED.

10           Defendant has failed to carry its burden of establishing that the designated  
11 information is sealable, and therefore this Court HEREBY ORDERS that the information be made  
12 part of the public record. Accordingly, Epic shall publicly file the Joint Discovery Letter Brief  
13 and Supporting Exhibits 1 to 12 and A to F lodged with the Court.

14           **IT IS SO ORDERED.**

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16 DATED:

17           \_\_\_\_\_  
18 HONORABLE THOMAS S. HIXSON  
19 UNITED STATES MAGISTRATE JUDGE  
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